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14 Plaintiff, Pro se

15 **UNITED STATES DISTRICT COURT**

16 **CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION**

17 **VOICE INTERNATIONAL, INC., a**
18 **California corporation; DAVID**
19 **GROBER, an individual,**

20 **Plaintiffs,**

21 **vs.**

22 **OPPENHEIMER CINE RENTAL,**
23 **LLC, a Washington corporation;**
24 **OPPENHEIMER CAMERA**
25 **PRODUCTS, INC., a Washington**
26 **corporation; MARTY**
27 **OPPENHEIMER, an individual;**
28 **Oceanic Production Equipment, Ltd.,**
a Bahamian company; and JORDAN
KLEIN, SR., an individual,

Defendants.

Case No.: 2:15-cv-08830-JAK-KS

Plaintiffs' Response To Defendants'
Alter Ego Briefing

1 Pursuant to the Court's civil minutes of May 13th (doc. 311, para. 3) re alter
2 ego being a jury or judge issue, Plaintiffs respond to Defendants' briefing attached to
3 the joint report (doc. 307-4) that "because alter ego is an equitable issue, it must be
4 tried by the Court and not a jury."

5 Plaintiffs agree it is an equitable issue for the judge to decide, per
6 Defendants' case law and other case law in the Ninth Circuit and California.
7 Plaintiffs decline to request any advisory verdict as the same is unnecessary with the
8 Court deciding the issue. Plaintiffs believe the Court should make its own decision
9 without input from the jury.

10 Jordan Klein Sr.'s testimony along with John Dann's on alter ego will
11 overlap with his testimony on other issues, e.g. wilfulness, etc., which will be
12 decided by the jury. Accordingly, Plaintiffs object to any suggestion by Defendants
13 that the alter ego determination should be in a separate phase after the jury trial.
14 This would require Jordan Klein Sr. and John Dann to each testify two different
15 times and thus would be inefficient. Their alter ego-related testimony during the
16 trial is not expected to be lengthy.

17
18 Date: May 20, 2019

Respectively Submitted:

19 LAUSON & ASSOCIATES

20 /s/ Robert Lauson

21 Robert Lauson

Attorneys for Voice International, Inc.

22
23 /s/ David Grober

24 David Grober, Plaintiff, Pro Se